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REMARKS

Claims 1-29, 34, and 36-38 are all of the claims presently pending in the application. Applicants have amended claims 1, 2, 14, and 29 to define the claimed invention more particularly.

Applicants submit that entry of the claim amendments is proper since the claim amendments do not raise new issues, which would require further consideration and/or search.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-3, 10-17, 19-23, 25-29, 34, and 36-38 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith, et al. (U.S. Patent No. 6,851,835; hereinafter "Smith") in view of Hecht (U.S. Patent No. 6,871,993). Claims 4-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Hecht and Young (U.S. Patent no. 6,672,741). Claim 18 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Hecht and Lowery (U.S. Patent No. 5,959,316). Claim 24 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Smith in view of Hecht and McCullough, et al. (U.S. Publication No. 2004/0252502).

Applicants respectfully traverse these rejections in the following discussion.

I. THE CLAIMED INVENTION

The invention of claim 1, for example, is directed to a light emitting apparatus that

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includes a solid-state light emitting element, a power supply member that supplies power to the solid-state light emitting element, a reflection section that is disposed opposite to a light extraction surface of the solid-state light emitting element to reflect light emitted from the solid-state light emitting element, a heat radiation member that is disposed with a heat radiation width in a back direction of the solid-state light emitting element, an insulating layer disposed between the power supply section and the heat radiation section, and a case in which the reflection section and the heat radiation member are placed and which externally radiates heat to be transferred from the heat radiation member (see Application at page 11, line 22 through page 13, line 10 and Figures 1A, 1B, 2, 3A, etc.). The case is integrated with the heat radiation member, the case has an inner wall surface with a high reflectivity, and the case has a high heat conductivity (see Application page 16, lines 4-20). The heat radiation member includes a planar member disposed parallel to a light extraction direction of the light emitting apparatus, and the power supply member, which is separate from the heat radiation member, is secured to an end face of the planar member. Additionally, the solid-state light emitting element is mounted on the end face of the planar member. (Application at page 11, lines 23-25, page 12, lines 10-11, page 13, lines 16-21 and page 14, lines 8-12).

This structure is important because the planar member alone can prevent the blocking of light that is emitted from the light emitting element. Further, because the power supply section is formed along a bottom of the planar member, the invention has the effect that the heat radiation section can efficiently radiate heat generated from the power supply section during the operation of the light emitting element. In addition, since the power supply section is insulated from the heat radiation section by the insulation layer disposed therebetween and the heat radiation section (planar member) elongates in the height direction of the apparatus, a

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steep heat gradient can be formed in the height direction, i.e., between the power supply section and the top of the heat radiation section (planar member), so that the heat generated from the power supply section (lead) can be more quickly transmitted through the heat radiation section (Application at page 2, lines 25-28 and page 14, lines 8-20)

In a conventional light emitting apparatus, as described in the Background of the present application, if the size of a power lead is increased to cope with increased heat generation from the light source, the light emission efficiency is decreased due to blockage of the light by the enlarged power lead (Application at page 2, lines 17-24).

In contrast, an exemplary aspect of this invention may provide for dissipation of heat from the light source without interfering with light emission (Application at page 14, lines 7-21).

Moreover, as indicated above, the claimed invention includes a case in which the reflection section and the heat radiation member are placed and which externally radiates heat to be transferred from the heat radiation member. The case is integrated with the heat radiation member, the case has an inner wall surface with a high reflectivity, and the case has a high heat conductivity.

Accordingly, light emitted from the solid-state light emitting element can be efficiently radiated outside from the apparatus as well as enhancing the heat radiation property (see Application page 16, lines 4-20).

II. THE PRIOR ART REFERENCES

A. The Alleged Combination of Smith and Hecht

The Examiner alleges that one of ordinary skill in the art would have combined Smith

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with Hecht to teach the claimed invention of claims 1-3, 10-17, 19-23, 25-29, 34, and 36-38. Applicants submit, however, that, even if combined, the alleged combination of references would not teach or suggest each and every feature of the claimed invention.

That is, the alleged combination of references does not teach or suggest, *"a case in which the reflection section and the heat radiation member are placed and which externally radiates heat to be transferred from the heat radiation member, wherein the case is integrated with the heat radiation member, the case comprises an inner wall surface with a high reflectivity, and the case has a high heat conductivity"*, as recited in exemplary claim 1 and somewhat similarly recited in exemplary claims 2, 14, and 29.

First, it is clear that the "case" (10) of Smith is not integrated with the "heat radiation member" (40). Furthermore, Smith does not teach or suggest that the case (10) includes an inner wall surface with a high reflectivity at a part other than the reflection section (12). Even further, Smith does not teach or suggest that the case (10) has a high heat conductivity.

Second, it is clear that the "case" (reflector 12) of Hecht is not integrated with the "heat radiation member" (core 28) and the "heat radiation member" (core 28) is not placed in the "case" (reflector 12). Furthermore, Hecht does not teach or suggest that the case (12) has a high heat conductivity.

Therefore, Smith does not teach or suggest each and every feature of the claimed invention and Hecht fails to make up the deficiencies of Smith. Accordingly, the alleged combination of references cannot have the effects of the claimed invention, as detailed above in section I.

Therefore, Applicants submit that, even if combined, the alleged combination of references would not teach or suggest each and every feature of the claimed invention.

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Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

B. The Young Reference

The Examiner alleges that one of ordinary skill in the art would have combined Young with Smith and Hecht to teach the claimed invention of claims 4-9. Applicants submit, however, that, even if combined, the alleged combination of references would not teach or suggest each and every feature of the claimed invention.

That is, claims 4-9 are allowable for similar reasons to those set forth above, in section A, with respect to claims 1-3, 10-17, 19-23, 25-29, 34, and 36-38.

Therefore, Applicants submit that, even if combined, the alleged combination of references would not teach or suggest each and every feature of the claimed invention. Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

C. The Lowery Reference

The Examiner alleges that one of ordinary skill in the art would have Lowery with Smith and Hecht to teach the claimed invention of claim 18. Applicants submit, however, that, even if combined, the alleged combination of references would not teach or suggest each and every feature of the claimed invention.

That is, claim 18 is allowable for similar reasons to those set forth above, in section A, with respect to claims 1-3, 10-17, 19-23, 25-29, 34, and 36-38.

Therefore, Applicants submit that, even if combined, the alleged combination of

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references would not teach or suggest each and every feature of the claimed invention.

Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

D. The McCullough Reference

The Examiner alleges that one of ordinary skill in the art would have combined McCullough with Smith and Hecht to teach the claimed invention of claim 24. Applicants submit, however, that, even if combined, the alleged combination of references would not teach or suggest each and every feature of the claimed invention.

That is, claim 24 is allowable for similar reasons to those set forth above, in section A, with respect to claims 1-3, 10-17, 19-23, 25-29, 34, and 36-38.

Therefore, Applicants submit that, even if combined, the alleged combination of references would not teach or suggest each and every feature of the claimed invention.

Accordingly, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicants submit that claims 1-29, 34, and 36-38, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. Applicants respectfully request the Examiner to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, Applicants requests the Examiner to contact the undersigned at the local telephone number

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listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The undersigned authorizes the Commissioner to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date: February 23, 2009

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FACSIMILE TRANSMISSION

I hereby certify that I am filing this paper via facsimile, to Group Art Unit 2885, at (571) 273-8300, on February 23, 2009.

Date: February 23, 2009

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